

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL DOCKET NO.: 3:01CR66**

UNITED STATES OF AMERICA

vs.

JAMES EDGAR MUNSON (2),

Defendant.

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ORDER

THIS MATTER is before the Court on the following *pro se* Motions filed by Defendant:

(1) Motion to Retain Current Counsel, filed October 2, 2006; (2) Motion to Be Added to the August 22-23, 2006 Sentencing Calendar and Motion for a Subpoena, filed October 2, 2006; (3) Motion for Miscellaneous Relief, filed August 28, 2006; and (4) Motion for Reconsideration, filed August 28, 2006. These Motions are now ripe for disposition by the Court.

On May 30, 2003, a jury found Defendant guilty of conspiracy to possess with intent to distribute marijuana, in violation of 21 U.S.C. §§ 841, 846 (Count One), and conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956 (Count Two). On December 18, 2003, this Court sentenced Defendant to 121 months imprisonment on both Count One and Count Two, with the terms of imprisonment to run concurrently. On March 4, 2004, Defendant filed a Notice of Appeal. On May 17, 2006, the United States Court of Appeals for the Fourth Circuit affirmed the Defendant's conviction but remanded him for re-sentencing pursuant to *United States v. Collins*, 415 U.S. 304 (4th Cir. 2005). The Mandate issued on June 13, 2006.

On July 20, 2006, Richard Brown was appointed to represent Defendant for purposes of his resentencing. Defendant is currently scheduled to be resentedenced on Monday, November 27, 2006. Despite his representation by counsel, Defendant continues to file *pro se* Motions.

However, since Defendant is now represented by counsel, the Court will not consider Defendant's *pro se* Motions. If defense counsel believes that any or all of Defendant's Motions have merit, he may refile such motion(s) with the Court.

IT IS, THEREFORE, ORDERED that Defendant's Motion to Retain Counsel is hereby **DENIED**.

IT IS FURTHER ORDERED that Defendant's Motion to be Added to August Sentencing Calendar and Motion for Subpoena is hereby **DENIED**.

IT IS FURTHER ORDERED that Defendant's Motion for Miscellaneous Relief is hereby **DENIED**.

IT IS FURTHER ORDERED that Defendant's Motion for Reconsideration is hereby **DENIED**.

Signed: November 8, 2006

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

